

By: Davis of Harris

H.B. No. 1160

A BILL TO BE ENTITLED

AN ACT

relating to a court order for medical or mental health care for a child in the conservatorship of the Department of Family and Protective Services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Chapter 266, Family Code, is amended to read as follows:

CHAPTER 266. MEDICAL CARE AND EDUCATIONAL SERVICES FOR CHILDREN IN
CONSERVATORSHIP OF DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

~~[FOSTER CARE]~~

SECTION 2. Chapter 266, Family Code, is amended by adding Section 266.005 to read as follows:

Sec. 266.005. CONSULTATION FOR MEDICAL CARE. (a) A court may not render an order requiring or prohibiting medical care, including mental health care, for a child in the conservatorship of the department unless:

(1) the court verifies that a medical or mental health professional, as appropriate, has been consulted regarding the proposed care; and

(2) evidence of the medical or mental health professional's consultation or recommendation is admitted as evidence.

(b) Subsection (a) does not apply to a court order for emergency medical care, including mental health care, for a child

1 in the conservatorship of the department.

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2017.